

Sec. 2. This proposed amendment shall be submitted to the people of this state for their approval or rejection at the general election occurring next after the passage of this act, and the qualified electors of this state in their respective districts may at such election vote for or against such amendment by ballot; and the returns thereof shall be made and certified within the time, and such votes canvassed and the result thereof declared in the manner provided by law with reference to the election of state officers, and if it shall appear thereupon that a majority of all the electors voting at said election as provided in the next section have voted in favor of the same, then the governor shall make proclamation thereof, and such amendment shall take effect and be in force as a part of the constitution.

Sec. 3. The ballots used at said election on said amendment shall have printed thereon, "amendment to section six (6) of article eight (8) of the constitution relating to the investment of school funds and authorizing the investment and loaning of school funds on improved farm land within this state. Yes..... No....." and each elector voting on said amendment shall place a cross mark thus (X) in a space to be left opposite either the word "yes" or the word "no," and shall be counted for or against the proposition in accordance with the expressed will of the elector, as provided by the election laws of this state.

Approved April 20, 1911.

CHAPTER 393—S. F. No. 294.

An Act proposing an amendment to section thirty-six (36) of article four (4) of the constitution of the State of Minnesota, allowing cities already incorporated and villages desiring to be incorporated as cities, to frame their own charter as cities and classifying cities for the purpose of general legislation.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. That the following amendment of section 36 of article 4 of the constitution of the State of Minnesota, is hereby proposed to the people of the state for their approval or rejection, which section, when amended, shall read as follows:

"Section 36. Any city or village in this state may frame a charter for its own government as a city, consistent with and subject to the laws of this state, as follows:

The legislature shall provide, under such restrictions as it deems proper, for a charter board of not to exceed fifteen free-

holders, who shall be and for the past five years shall have been, qualified voters thereof, to be appointed by the judges of the district court of the judicial district in which the city or village is situated as the legislature may determine for a term in no event to exceed six years, which board shall within six months after its appointment return to the chief magistrate of said city or village a draft of a proposed charter, signed by the members of said board, or a majority thereof, and, if the same be not ratified may thereafter in like manner return other draft or drafts of a proposed charter until one thereof shall be ratified as herein provided.

Such charter shall be submitted to the qualified voters of such city or village at the next general or special election thereafter, and if a majority of the qualified voters voting at such election shall ratify the same, it shall, at the end of thirty days thereafter, or at such other time, if any, as shall be specified therein, become the charter of such city or village as a city and supersede any existing charter and amendments thereof; provided that in cities having patrol limits now established, such charter shall require a three-fourths majority vote of the qualified voters voting at such election to change the patrol limits now established.

Duplicate certificates shall be made setting forth the charter proposed and its ratification, which shall be signed by the chief magistrate of said city or village and authenticated by its corporate seal. One of said certificates shall be deposited in the office of the secretary of state and the other, after being recorded in the office of the register of deeds for the county in which such city or village lies, shall be deposited among the archives of such city or village, and all courts shall take judicial notice thereof.

Such charter so deposited may be amended, or revised, by proposal therefor made by said board and accepted by a majority of the qualified voters of such city or village voting at the next general or special election thereafter; but such charter shall always be in harmony with and subject to the constitution and laws of the State of Minnesota. The legislature may prescribe the duties of said board relative to submitting amendments of such charter to the vote of the people and shall provide that upon application of ten per cent of the legal voters of any such city or village by written petition, such board shall submit to the vote of the people proposed amendments to such charter set forth in said petition.

The board above provided for, shall be permanent and all vacancies by death, disability to perform duties, resignation or removal from the corporate limits, or expiration of term of office, shall be filled by appointment in the same manner as the original board was created, and said board shall always contain its full complement of members.

Any such charter or any amendment or revision thereof may provide for the commission form of government having legislative and administrative powers or it may provide for a mayor or chief magistrate and a legislative body of either one or two houses and, if of two houses, at least one of them shall be elected by a general vote of the electors, or it may provide for any other plan or system of municipal government; *provided* that the plan or form of government so adopted shall not violate the constitution of the state as hereby amended.

In submitting any such charter or amendment thereto, or revision thereof to the qualified voters of such city or village, any alternative section or article may be presented for the choice of the voters and may be voted on separately without prejudice to other articles or sections of the charter, or any amendments thereto or revision thereof.

The legislature may provide general laws relative to affairs of cities, the application of which may be limited to cities of over fifty thousand inhabitants, or to cities of fifty thousand and not less than twenty thousand inhabitants, or to cities of twenty thousand and not less than ten thousand inhabitants, or to cities of ten thousand inhabitants or less, which shall apply equally to all cities of either class, or if so specified in the law, to all cities in either such class not having charters adopted pursuant to this amendment, but no general law limited to one or more of said classes of cities shall apply to any city existing under a charter framed under this section of the constitution unless such general law shall be made applicable to such city by a declaration, therein, naming the city. Such laws shall be paramount while in force to the provisions relating to the same matter included in the local charter herein provided for.

The legislature shall enact any and all laws necessary or proper to carry into effect the provisions of this amendment, and shall prescribe by law the general limits within which such charter shall be framed. No local charter, provision or ordinance passed thereunder shall supersede any general law of the state defining or punishing crimes or misdemeanors."

Sec. 2. This proposed amendment shall be submitted to the people of this state for their approval or rejection at the next general election held therein, and each of the legal voters at said election may vote by ballot for or against said proposed amendment, and the returns thereof shall be certified and such votes canvassed, and the result thereof declared in the manner provided by law for the returning, certifying and canvassing votes of the general election for the state officers and declaring the result thereof; and if it shall appear therefrom that a majority of the voters voting at said election have voted in favor of the same, then immediately after the result shall have been ascer-

tained the governor shall make proclamation thereof, and said amendment shall thereupon take effect and be in full force as a part of the constitution of the State of Minnesota.

Sec. 3. The ballot used at said election on said amendment shall have printed thereon: "Amendment to section thirty-six (36) of article four (4) of the constitution, allowing cities and villages in this state to frame their own city charters and classifying cities, 'Yes—No.'" And each elector voting on such amendment shall make a cross mark thus (X), in one of the spaces left for the purpose upon the margin of the ballot used at said election, as provided by law in section twenty-eight (28) of chapter four (4) of the general laws of one thousand eight hundred and ninety-three (1893). The electors desiring to vote for said amendment shall make a cross mark thus (X), in the space so left opposite the word "Yes," and the elector desiring to vote against said amendment shall make a cross mark thus (X), opposite the word "No," and no ballots shall be counted on said amendment except those having said cross mark (X) opposite one only of said words, "Yes" or "No."

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 18, 1911.

CHAPTER 394—H. F. No. 10.

An Act proposing an amendment to section 7, article 7, of the constitution of the State of Minnesota providing for an educational and professional qualification for county superintendent of schools.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. The following amendment to section 7 of article 7 of the Constitution of the State of Minnesota is hereby proposed to the legal voters of said state for their approval or rejection, which amendment when so approved shall read as follows:

"Section 7. Every person who by the provisions of this article shall be entitled to vote at any election shall be eligible to any office which now is, or hereafter shall be, elective by the people in the district wherein he shall have resided thirty days previous to such election, except county superintendents of schools who shall be required to have educational and professional qualifications to be determined by the legislature, and except as otherwise provided in the constitution, or the constitution and laws of the United States."